

January 26, 2021

Chairman Manning, Vice Chair McColley, Ranking Member Thomas and Members of the Ohio Senate Judiciary Committee, the National Alliance on Mental Illness Ohio (NAMI Ohio) thanks you for the opportunity to give our proponent testimony in support of Senate Bill 2.

NAMI Ohio believes this legislation is a good first step to connect people to resources designed to end the revolving door of legal problems and keep people out of jail. NAMI Ohio's mission is to improve the quality of life, and ensure dignity and respect for person with serious mental illness. NAMI Ohio is actively engaged with the Ohio Stepping Up Initiative and Ohio's CIT programs that aim to divert those with serious mental illness from incarceration. NAMI Ohio offers support, education and advocacy across the state and among our 40 local affiliates.

Reforming the competency restoration process is a big step forward for mental health treatment access in our state. We believe this reform will have a positive impact not just on the criminal justice system, but also the lives of individual and families with serious and persistent mental illness. The aim of increasing access to state psychiatric hospital beds by providing the authority for courts to pursue alternatives to sending people charged with non-violent misdemeanors to these facilities to be restored to competency rather than jails.

This legislation requires judges in criminal cases in which an individual's competency to stand trial is in question to pursue the least restrictive means for competency restoration while taking available resources and public safety into account. NAMI Ohio has a long standing record and commitment to protect individuals and the community when competency is an issue. The focus the appropriate setting is person-centered as well as maintaining the safety of all citizens. This bill enables common pleas, county or municipal court to issue an interim order of civil commitment and appoint a limited guardian for mental health decisions. Lastly, changes were made to remove barriers within the court system to share information and reporting data when needed that removes legal impediments.

In Ohio, we see many of the jail facilities are filled with those ordered there by the courts to restore their competency to stand trial on minor charges. This measure proposes allowing common pleas, county or municipal court to issue an interim order of civil commitment and appoint a "limited guardian" for mental health decisions. The temporary arrangement allows for access to the appropriate setting to be considered in what is usually a crisis situation that needs immediate decisions.

Thank you allowing NAMI Ohio for the opportunity to share our thoughts and insights, and we look forward to helping with implementation.

Terry Russell, Executive Director
NAMI Ohio